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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/920,176

08/01/2001

Adam Burczyk

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4492

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VEDDER PRICE KAUFMAN & KAMMHOLZ
222 N. LASALLE STREET
CHICAGO, IL 60601

EXAMINER

OYEBISI, OJO O

ART UNIT

PAPER NUMBER

3692

MAIL DATE

DELIVERY MODE

08/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/920,176

Applicant(s)

BURCZYK, ADAM

Examiner

OJO.O. OYEBISI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 and 41-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 and 41-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 08/27/01.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

The election of Group 1 (claims 1-20 and 41-60) in the Restriction Requirement dated 10/19/06 is hereby acknowledged. Claims 1-20 and 41-60 are currently pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
2. Claims 1-20, and 41-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over King et al (King hereinafter, US PAT: 5704045) IN VIEW of Apte et al (Apte hereinafter, US PAT: 5970464).

Re claims 1, 2-20. King discloses a computer-implemented method of indexing, monetizing, and trading risk factor population results, derived from constituent units of account residing within a financial exposure, comprised of the steps of: a) finding financial results for the exposure as a whole, thereby obtaining exposure results (see the abstract), b) subdividing the exposure results into results for constituent units of

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account in the exposure, thereby obtaining constituent unit results (i.e., segregated reserve accounts, see col.3 lines 22-30) , c) demonetizing the constituent unit results, so that they only reflect abstract data results, without monetary value (see col.8 lines 40-47), g) reporting the abstract data results of each constituent unit of account, within each risk dimension, h) reporting the abstract data results for each discretized segment, within each risk dimension, as a total of constituent units of account residing in such a segment, i) reporting the abstract data results for the exposure as a whole, as a total of constituent units of account residing in such an exposure (i.e., a detailed report analysis, see col.10, lines 4-20) j) identifying each reported result as a risk factor population result (see col.8 lines 35-40), k) indexing each risk factor population result (see col.10 lines 10-30), so that all results can be reported alongside each other, regardless as to whether said results are totals for individual constituent units of account, individual discretized segments, or the exposure as a whole, l) selecting risk factor population results, regardless as to whether said results were indexed as constituent units of account, discretized segments, or the exposure of the whole, m) monetizing these selected results, so they can be valued as cash deliveries, leaving all of the unselected risk factor population results, as found in all other parts of the index, unmonetized (see col.7 lines 40-45, also see col.12 lines 1-10), n) exchanging the monetized risk factor population results with a counterparty, for financial consideration (see col.11 lines 40-65). King does not explicitly disclose d) creating a framework comprised of two or more risk dimensions, each risk dimension being comprised of two or more discretized risk segments, each segment of which is calibrated to range over

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the entirety of, and subdivide the entirety of, each risk dimension of which it is a part, e) assigning all of the constituent units of account of an exposure into each risk dimension, f) assigning all of the constituent units of account within each risk dimension into discretized risk segments, according to a rule of segment qualification, so that each and every constituent unit is assigned to one and only one discretized risk segment within each risk dimension. However, Apte discloses d) creating a framework comprised of two or more risk dimensions, each risk dimension being comprised of two or more discretized risk segments, each segment of which is calibrated to range over the entirety of, and subdivide the entirety of, each risk dimension of which it is a part (, e) assigning all of the constituent units of account of an exposure into each risk dimension, f) assigning all of the constituent units of account within each risk dimension into discretized risk segments, according to a rule of segment qualification, so that each and every constituent unit is assigned to one and only one discretized risk segment within each risk dimension (i.e., rule sets are used to classify policy holders into distinct risk groups, each with its own set of characteristics, including pure premium. Breaking up a book of business into segments allows identification of sub-populations of policy holders that distinctly deviate from the expected normal pure premium. This identification allow the insurance business analysts to interactively adjust eligibility criteria and examine altered characteristics of the covered segments until satisfactory. The system is implemented on a client server using network centric language technology, see the abstract). Thus it would have been obvious to one of ordinary skill in the art to combine the teachings of King and Apte to classify policy holder's account into distinct groups.

Re claims 41, 42-60. King further discloses a computer-readable medium for use with a computer means, for indexing, monetizing, and trading risk factor population results, derived from constituent units of account residing within a financial exposure, comprised of the steps of: a) finding financial results for the exposure as a whole, thereby obtaining exposure results (see the abstract), b) subdividing the exposure results into results for constituent units of account in the exposure, thereby obtaining constituent unit results (i.e., segregated reserve accounts, see col.3 lines 22-30) , c) demonetizing the constituent unit results, so that they only reflect abstract data results, without monetary value (see col.8 lines 40-47), g) reporting the abstract data results of each constituent unit of account, within each risk dimension, h) reporting the abstract data results for each discretized segment, within each risk dimension, as a total of constituent units of account residing in such a segment, i) reporting the abstract data results for the exposure as a whole, as a total of constituent units of account residing in such an exposure (i.e., a detailed report analysis, see col.10, lines 4-20) j) identifying each reported result as a risk factor population result (see col.8 lines 35-40), k) indexing each risk factor population result (see col.10 lines10-30), so that all results can be reported alongside each other, regardless as to whether said results are totals for individual constituent units of account, individual discretized segments, or the exposure as a whole, l) selecting risk factor population results, regardless as to whether said results were indexed as constituent units of account, discretized segments, or the exposure of the whole, m) monetizing these selected results, so they can be valued as cash

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deliveries, leaving all of the unselected risk factor population results, as found in all other parts of the index, unmonetized (see col.7 lines 40-45, also see col.12 lines 1-10), n) exchanging the monetized risk factor population results with a counterparty, for financial consideration (see col.11 lines 40-65). King does not explicitly disclose d) creating a framework comprised of two or more risk dimensions, each risk dimension being comprised of two or more discretized risk segments, each segment of which is calibrated to range over the entirety of, and subdivide the entirety of, each risk dimension of which it is a part, e) assigning all of the constituent units of account of an exposure into each risk dimension, f) assigning all of the constituent units of account within each risk dimension into discretized risk segments, according to a rule of segment qualification, so that each and every constituent unit is assigned to one and only one discretized risk segment within each risk dimension. However, Apte discloses d) creating a framework comprised of two or more risk dimensions, each risk dimension being comprised of two or more discretized risk segments, each segment of which is calibrated to range over the entirety of, and subdivide the entirety of, each risk dimension of which it is a part (, e) assigning all of the constituent units of account of an exposure into each risk dimension, f) assigning all of the constituent units of account within each risk dimension into discretized risk segments, according to a rule of segment qualification, so that each and every constituent unit is assigned to one and only one discretized risk segment within each risk dimension (i.e., rule sets are used to classify policy holders into distinct risk groups, each with its own set of characteristics, including pure premium. Breaking up a book of business into segments allows

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identification of sub-populations of policy holders that distinctly deviate from the expected normal pure premium. This identification allow the insurance business analysts to interactively adjust eligibility criteria and examine altered characteristics of the covered segments until satisfactory. The system is implemented on a client server using network centric language technology, see the abstract). Thus it would have been obvious to one of ordinary skill in the art to combine the teachings of King and Apte to classify policy holder's account into distinct groups.

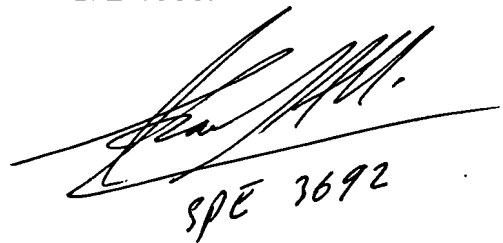
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OJO O. OYEBISI whose telephone number is (571) 272-8298. The examiner can normally be reached on 8:30A.M-5:30P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, kAMBIZ ABDI can be reached on (571)272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, followed by the text "SPE 3692" written below it.